

Aquinnah Planning Board Plan Review Committee Meeting – October 17, 2023

Present: Jim Wallen, Sarah Thulin, Heidi Vanderhoop, Jim Mahoney, Jim Newman, Tom Murphy

Not Present: Amara Ignacio, Isaac Taylor

Also present: Kristen Reimann, Karen Slavatore\*, Mark Fortier, Robert Iwaskiewicz, Kevin Shea\*, Gary Bendavid\*, Chris Alley, Kiki Lombardi\*, Cori Dipietro, iPhone\*, Rena Fortier\*, Adrian Higgins, Meg Higgins, Jay Theise, Phil Regan, Jim Lampke\*, Meg Bodnar\*, Weston Halkyard\*, Mallory Butler\*, Nancy Klion, Michael Nathanson

*Meeting was both virtual via Zoom (\*attended via zoom) and in person.*

Jim W called the meeting to order at 6:35pm.

Minutes: Jim M moved to approve the September 7, 2023, meeting minutes as presented; Jim N seconded; PBPRC voted 5-0, motion passed.

*Public Hearing: Iwaskiewicz - 9 Lobsterville Road Map 4 Lot 8 – The proposed project included the replacement and extension of decking from 8ftx20ft to 10ftx20ft16in. PBPRC found that change was modest and would not increase the non-conformity of the existing deck (deck is within the 30ft setback) and the project could be approved as a zoning determination rather than a special permit as advertised. Jim M motioned to approve the project as a zoning determination; Jim N seconded; PBPRC voted 5-0, motion passed.*

*Shea Carey – 14 East Pasture Road Map 8 Lot 63 – Review of Final Landscape plan as conditioned in Special Permit dated July 2, 2021 and April 25, 2022 – Presented final landscape plan included the following elements: planting beds within lawn area; restoration planting where regrading occurred; plantings will be native plants; bluestone steps from parking area to front door and mudroom door with 6 low path lights; pea stone area to the east; reconfiguration of landings (no alteration to the approved footprint); two existing vegetated areas to the southeast and west of the dwelling will be bulked up to increase screening between abutting properties; applicant noted that the western screening area was originally proposed along with the construction of a garage, however, since the garage was eliminated from the plan, and existing vegetation in that area was not disturbed, the applicant asked if additional plantings in that area were still necessary; PBPRC requested review of the area in the proceeding spring to determine if additional vegetation is necessary; landscaping to begin in the spring. Sarah motioned to approve the landscape plan as presented conditioned upon the following: submission of a plant list; landscaping work to proceed in the spring; and PBPRC review of the western screening area; Tom seconded; PBPRC voted 5-0, motion passed.*

*Next meetings: November 14<sup>th</sup> and December 6<sup>th</sup>, 2023*

*Public Hearing: Woods - 1 Sunset Lane Map 6 Lot 104 – At the request of the applicant, Jim M motioned to continue the hearing to November 14<sup>th</sup>, 2023 at 6:40pm; Sarah seconded; PBPRC voted 5-0, motion passed.*

*Public Hearing: Friedman - off Tar Barrel Road Map 8 Lot 39 – At the request of the applicant, Jim M motioned to continue the hearing to November 14<sup>th</sup>, 2023 at 6:45pm; Sarah seconded; PBPRC voted 5-0, motion passed.*

*Public Meeting: Mark Fortier - 3 Sunset Lane Map 6 Lot 105.3* – Per discussion with Special Town Counsel, Jim informed the PBPRC that the committee does not have the ability to approve an additional driveway unless the other is removed; existing driveway is legal; approval of a second means of access would be in violation to the bylaws and the current access/driveway is legal, was approved and recorded; current application before the PBPRC does not include substitution of access rather, a second means of access. The applicant noted that the existing driveway easement memorializes the electrical line services and along with location of septic in the area and the access cannot be removed. Special Town Counsel noted the following: the sketch provided with the application was not clear as well as the fact that the record for the property recorded with the deed shows that a driveway easement was granted (inclusive of vehicular easement/access) which is different than just an easement for utility purpose; the bylaw revision speaks to the notion that there can be just one access and if there is a proposal to relocate access with detailed plans, then the PBPRC can consider that; the bylaw revision that states that each lot can have one access is not changed by the fact that the applicant is relying on the definition of “frontage”. After hearing Counsels opinion, the PBPRC was leaning towards denying the application and the applicant’s options were stated. Jim M motioned to deny the application; Tom seconded; discussion: motion was relative to the prior discussion that the bylaw does not permit a second way of access and expressed concerns about the lack of specificity/detail on the proposed plan; PBPRC voted 5-0, motion passed, permit was denied. It was noted that if the applicant/owner was concerned that the existing access was not sufficient enough of a driveway, the plan associated with the registered driveway easement did identify the availability of expanding the driveway layout. Again, the applicant/owner expressed concern that utility lines run under the road and expansion could damage the lines. PBPRC stated that utility lines running under driveways is common.

*Public Hearing: Elghanayan – 5 Mariners View Lane Map 6 Lot 63* – At the request of the applicant, Jim M motioned to continue the hearing to November 14<sup>th</sup>, 2023 at 6:50pm; Jim N seconded; PBPRC voted 5-0, motion passed.

*Public Hearing: Klion - 16 Homestead Way Map 5 Lot 175.3* - Applicants presented the following: property is 6.07 acres; proposal includes siting of dwelling, garage and studio; two filings are before the Conservation Commission (driveway infrastructure and development) inclusive of a remediation plan required by DEP; dwelling is sited to the rear of the property near canopy edge which allows for conservation of the meadow; stone wall will need to be altered to allow access (stones to be removed by hand and replaced in exact positions); dwelling is 3 gabled sections connected by flat roofs and primarily one story with a two story bedroom wing which is split level and partially subterranean; bedroom wing measures 23ft above mean grade, living room and primary bedroom wings 21-22ft above mean grade with the flat roofs measuring at 12ft above mean grade; garage will be simple gabled (elevations for garage and studio were not presented); studio space is not immediate and at some point applicant may come back with final plans; applicant will need to verify the total footprint of the project; exterior materials will be natural and or neutral in color; project does not involve any development on the existing historical structure (*Vanderhoop Homestead*); in 2000 Mass Historical Commission (MHC) did not recommend a survey for a similar project. PBPRC requested that the applicant submit a project notification form to MHC for the current project. After brief discussion concerning the historical homestead and potential future work, Sarah motioned to approve the project as presented with the following conditions: submission of correct footprint numbers; submission of glazing calculations; resubmission of a Project Notification Form to Mass Historical Commission; if a survey is recommended by MHC, applicant must return to PBPRC for review and an archeological determination; subject to BOH; subject to Conservation Commission approval of driveway, culvert and remediation work; project

as presented does not include any work on the Vanderhoop Homestead; Submission of photo documentation of the stone wall work area to ensure proper placement; Tom seconded; PBPRC voted 5-0, motion passed.

With no other business, the meeting adjourned at 7:49pm.

*Respectfully submitted, Sophia Welch, Board Administrative Assistant*